

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4198

IN THE MATTER OF:

Served November 2, 1993

Investigation of Unauthorized )  
Operations of FOUR SEASONS TOUR & )  
MINI BUS SERVICE )

Case No. MP-93-53

This is an investigation into the possible unauthorized transportation of passengers for hire in the Washington Metropolitan Area Transit District (Metropolitan District)<sup>1</sup> by Four Seasons Tour & Mini Bus Service (Four Seasons or respondent), which is located at 5902 Mt. Eagle Drive, Suite 212, Alexandria, VA 22303.

Respondent's telephone number is listed in the Northern Virginia telephone directory, which we view as solicitation of business in that area. On May 14, 1993, the Commission's Executive Director advised respondent in writing of its need for WMATC operating authority for any transportation it might perform in the Metropolitan District. The Commission received no response.

On September 27, 1993, one of the Commission's staff observed a minibus with Virginia plates parked on a side street adjacent to the Mayflower Hotel on Connecticut Avenue in Northwest Washington, DC. The bus displayed no markings indicating under what authority it was being operated. Staff later ran a check of the license plate number, E14-936, and discovered that the vehicle is registered to Four Seasons Tour & Van Service, 5902 Mt. Eagle Drive, Suite 212, Alexandria, VA 22303.

The Commission may investigate an uncertificated carrier when it appears that the carrier has been operating in the Metropolitan District.<sup>2</sup> The Commission may order the carrier to produce books, papers, correspondence, contracts and other records pertaining to the

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<sup>1</sup> The Metropolitan District consists of: the District of Columbia; the cities of Alexandria and Falls Church of the Commonwealth of Virginia; Arlington County and Fairfax County of the Commonwealth of Virginia, the political subdivisions located within those counties, and that portion of Loudoun County, Virginia, occupied by the Washington Dulles International Airport; Montgomery County and Prince George's County of the State of Maryland, and the political subdivisions located within those counties; and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of those counties, cities, and airports. Wash. Metro. Area Transit Reg. Compact, Pub. L. No. 101-505, § 1, Title I, Art. I, 104 Stat. 1300 (1990) [hereinafter Compact], codified at D.C. CODE ANN. § 1-2411 (1992).

<sup>2</sup> In re John B. Taylor & T&S Bus Serv., No. MP-83-05, Order No. 2492 (Nov. 3, 1983); In re Eugene H. George, No. MP-83-04, Order No. 2474 (Sept. 26, 1983).

investigation.<sup>3</sup> The Commission may assess a civil forfeiture for knowing and willful violations of the Compact and regulations thereunder -- in an amount not more than \$1,000 for the first violation and not more than \$5,000 for each subsequent violation.<sup>4</sup>

Pursuant to the Compact, Title II, Article XIII, Section 1, the Commission hereby institutes an investigation into the operations of Four Seasons within the Metropolitan District. Four Seasons will be named a party respondent to this proceeding and directed to produce copies of all insurance records, vehicle manifests and customer invoices for transportation it performed in the Metropolitan District during the period beginning January 1, 1992, and ending on the date this order is issued. Four Seasons also will be directed to show cause why it should not be found subject to a civil forfeiture for knowing and willful violations of the Compact and regulations thereunder. Finally, Four Seasons will be directed to cease and desist from transporting passengers for hire between points in the Metropolitan District.

THEREFORE, IT IS ORDERED:

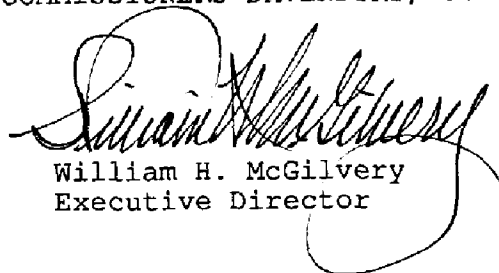
1. That an investigation is hereby instituted into the operations of Four Seasons Tour & Mini Bus Service, 5902 Mt. Eagle Drive, Suite 212, Alexandria, VA 22303, within the Washington Metropolitan Area Transit District, and Four Seasons Tour & Mini Bus Service is hereby named a party respondent.

2. That Four Seasons Tour & Mini Bus Service shall file with the Washington Metropolitan Area Transit Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Tuesday, November 23, 1993, copies of all insurance records, vehicle manifests and customer invoices for transportation it performed in the Metropolitan District during the period beginning January 1, 1992, and ending on the date this order is issued.

3. That Four Seasons Tour & Mini Bus Service shall, no later than Tuesday, November 23, 1993, show cause why it should not be found subject to a civil forfeiture for knowing and willful violations of the Compact and regulations thereunder.

4. That Four Seasons Tour & Mini Bus Service shall cease and desist from transporting passengers for hire between points in the Washington Metropolitan Area Transit District.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:

  
William H. McGilvery  
Executive Director

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<sup>3</sup> Id.

<sup>4</sup> Compact, Title II, Art. XIII, § 6.